

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES – GENERAL

Case No. SA CV 20-00069-DOC-(KESx)

Date: October 17, 2022

Title: CITY OF SANTA ANA V. COUNTY OF ORANGE, ET AL.

PRESENT:

THE HONORABLE DAVID O. CARTER, JUDGE

Karlen Dubon
Courtroom Clerk

Not Present
Court Reporter

ATTORNEYS PRESENT FOR
PLAINTIFF:
None Present

ATTORNEYS PRESENT FOR
DEFENDANT:
None Present

**PROCEEDINGS (IN CHAMBERS): ORDER REGARDING COLD
WEATHER SHELTERS**

Before the Court is a proceeding held pursuant to the provisions of the Memorandum Of Understanding (MOU) between the County of Orange (County) and the City of Santa Ana (City) dated November 23, 2021.

The MOU defines the rights and duties of the parties regarding the County's future creation of a Cold Weather Shelter located in the City. The County has announced its intent to do so.

In determining whether an emergency exists that would justify the creation of a Cold Weather Shelter, the Court considers the totality of the circumstances, including the existence and location of other shelter facilities available to address emergencies brought on by the approaching fall and winter seasons. To fail to protect unhoused individuals would not only be inhumane but a violation of their Fourteenth Amendment and Eighth Amendment rights.

To resolve this dispute, the Court finds it necessary to gather information concerning shelter alternatives available in the County of Orange, as well as transportation services to and from any proposed Cold Weather Shelter.

Accordingly, the parties are directed to submit such data to the Court on or before Thursday, October 20, 2022. This matter is set for further hearing on October 21, 2022, at 3:00 p.m. The Court invites any County Supervisors and any City Council Members to attend this hearing, and specifically requests that Supervisors representing any portion of the South Spa be in attendance.